

*Sri S. NIJALINGAPPA.—No powers are ever given to the Ministers as such, because what powers the Ministers enjoy is well known; it is a question of constitutional law and practice.

Sri A. V. NARASIMHA REDDY.—Let me be more specific. The transfer concerning each officer in the case of some cadre of officers used to pass through the respective Minister. We learn now that it has been decided in the Inter-State Ministers' Conference that it can be done by the Chief Secretary in consultation with the Chief Minister. May I know whether that is a fact?

Sri S. NIJALINGAPPA.—No, I am not aware of that.

Amount of Tax due to Government by R. M. D. C.

Q.—387. Sri G. N. PUTTANNA (Tumkur).—

Will the Government be pleased to state :—

(a) whether it is a fact that the Proprietor of R.M.D.C., Bangalore, has to pay tax to Mysore Government to the extent of Rs. 1,00,000 or more;

(b) if so, the exact amount of tax due to Government by R.M.D.C. Crossword Competition;

(c) the period since he has not paid the tax;

(d) the action taken for the recovery of arrears;

(e) if no action is taken, the reasons therefor?

A.—Sri T. MARIAPPA (Minister for Finance).—

(a), (b), (c), (d) and (e) Messrs. R.M.D.C. (Mysore), Ltd., have filed a suit in the Court of the District Judge, Bangalore, praying that it may be declared that (i) the provisions of the Act relating to the levy, recovery and collection of tax are void, illegal *ultra vires* and without authority of law, and that (ii) the levy of tax and recovery and collection of tax from the company under the said Act are equally void, illegal, *ultra vires* and without authority of law. The suit is still pending

before the court. The matter raised in the question is, therefore, *sub judice* and no reply can be furnished here.

ಶ್ರೀ ಜಿ. ಎ. ಪುಟ್ಟಣ್ಣ.—ನರ್ಕಾರಕ್ಕೆ ಅವರಿಂದ ಬಾಕಿ ಬರಬೇಕೆ?

Mr. SPEAKER.—When the matter is *sub-judice*, it will be very difficult for anybody to furnish the information relating to it. He will be landing himself in trouble. Not only he lands himself in trouble, but he will land me also in trouble.

ಶ್ರೀ ಜಿ. ಎ. ಪುಟ್ಟಣ್ಣ.—ತುನಾವಣೆ ಕಾಲದಲ್ಲಿ ಅನೇಕರು ಹೋಗಿ ಅಲ್ಲಿಂದ ದುಡ್ಡು ತೆಗೆದುಕೊಂಡು ಬಂದಿರುವುದು ಗೊತ್ತೇ?

Mr. SPEAKER.—It is outside the scope of the question.

Sri G. VENKATAI GOWDA.—May I know whether any amount was collected prior to the institution of the suit?

Sri T. MARIAPPA.—Yes, taxes have been collected.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಣ್ಣಯ್ಯ.—ದಾದಾ ಎಷ್ಟು ಹಣಕ್ಕೆ ಹಾಕಿದೆ?

ಶ್ರೀ ಜಿ. ಮರಿಯಪ್ಪ.—ನೋಟೀಸ್ ಬೇಕು.

Sri M. RAMAPPA.—Does this suit cover the entire claims of the Government?

Sri T. MARIAPPA.—The whole matter is *sub-judice*. I am not prepared to disclose any details.

Sri K. S. SURYANARAYANA RAO.—Are not the issues raised in the case of a constitutional nature?

Mr. SPEAKER.—That is a different question altogether.

Sri C. K. RAJAI AH SETTY.—When the tax ought to have been recovered as per the terms and when the party has gone to the court?

Mr. SPEAKER.—The Hon'ble Member may ask when R.M.D.C. has gone to the court. That is relevant.

ಶ್ರೀ ಸಿ. ಕೆ. ರಾಜಯ್ಯಶೆಟ್ಟಿ.—ದಾದಾ ಯಾವಾಗ ಹಾಕಿದ್ದೀರಿ?

ಶ್ರೀ ಜಿ. ಮರಿಯಪ್ಪ.—ಅದನ್ನು ಹೇಳಲು ನೋಟೀಸ್ ಬೇಕು.

ಶ್ರೀ ಎ. ಜಿ. ನರಸಿಂಹೇಗೌಡ.—ಅರ್. ಎಂ. ಡಿ. ಸಿ. ಮೇಲೆ ಈಚೆಗೆ ನಿಂತಿರುವ ಬಾಕಿಯಷ್ಟು?

ಶ್ರೀ ಜಿ. ಮರಿಯಪ್ಪ.—ಅದರಲ್ಲೂ ನಬ್ ಜ್ಯೂಡಿಸ್.

2 P.M.

Sri Y. VEERAPPA.—From the answers given hereunder I can see that

there was some arrears from R.M.D.C. and the Government attended to recover the arrears.....

Mr. SPEAKER.—Order, order.

Sri T. MARIAPPA.—I will clarify that. Please read the words “levy, recovery and collection of tax are void, illegal ultra vires”

Sri K. S. SURYANARAYANA RAO.—Have the Government taken the stand that the District court has no jurisdiction?

Sri T. MARIAPPA.—The whole matter is *sub judice*.

ಅಧ್ಯಕ್ಷರು.—Written statement ಏನು ಎಂದು ಹೇಳಲು ಶಕ್ಯವಿಲ್ಲವೆಂದು ಆಗಲೇ ಹೇಳಿದ್ದಾರೆ.

Sri K. S. SURYANARAYANA RAO.—The House is entitled to know what this statement is. That does not come under the purview of the scope of the *sub judice*. If the Government has filed a statement that is a matter in which we could enquire the Government.

Mr. SPEAKER.—Everything is *sub judice*. When the plaint is *sub judice* the written statement is also *sub judice*. It cannot mean that the plaint is *sub judice* and the written statement is not *sub judice*.

ಶ್ರೀ ಕೆ. ಎ. ಬೈರೇಗೌಡ.—ಇಲ್ಲಿಯವರೆಗೆ ತೆರಿಗೆ ಯನ್ನೇನಾದರೂ ಕೊಟ್ಟಿದ್ದಾರೆಯೇ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಹಿಂದೆಯೇ ಉತ್ತರವನ್ನೇ ಕೊಟ್ಟಿದೆ. ಇಲ್ಲೇ ಸಾಲಸಿಖರುಗಳು ಇರುವುದರಿಂದ ನಾನು ಉತ್ತರ ಕೊಡುವಾಗ ಸ್ವಲ್ಪ ಕಾಪನ್ ಆಗಿ ಹೇಳುತ್ತೇನೆ. ಹಿಂದೆ ಕೆಲವು ಭಾಗವನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ, ಕೆಲವು ಭಾಗ ಇಲ್ಲ. ಆದರೆ ಎಷ್ಟು ಎಂಬ ವಿಷಯದಲ್ಲಿ ಒಂದು ಸ್ಪೀಷಿಂಗ್ ಸ್ಪೆಷ್‌ಮೆಂಟು ಮಾಡುವುದಕ್ಕೆ ನಾನು ತಯಾರಾಗಿದ್ದೇನೆ.

ಶ್ರೀ ಕೆ. ಎ. ಬೈರೇಗೌಡ.—ಅದು ತೆರಿಗೆಯೋ ಇಲ್ಲ ಫೀಸೋ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಬರಬೇಕಾದ ಬಾಕಿಯಲ್ಲೇ ಸ್ವಲ್ಪ ಭಾಗ ಕೊಟ್ಟಿದ್ದಾರೆ ಸ್ವಲ್ಪ ಭಾಗ ಇಲ್ಲ.

ಶ್ರೀ ಎ. ಜಿ. ನರಸಿಂಹೇಗೌಡ.—ಈ ಆರ್. ಎಂ. ಡಿ. ಸಿ. ಇನ್ನೂ ನಡೆಯುತ್ತಿದೆಯೇ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಈಗ ಕೆಲಸ ಮಾಡುತ್ತಿಲ್ಲ. ಮುಕ್ತಾಯ ಪಾಲಿ ಒಂದೇ ಎಪ್ರಿಲ್ 1957 ರಿಂದ ಇಲ್ಲ ಎಂದು ಕಾಣುತ್ತದೆ.

ಶ್ರೀ ಜಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ಈ ಕೇಸು ಯಾವ ಸ್ಟೇಜಿನಲ್ಲಿದೆ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಅದು ಇನ್ನೂ ಪೆಂಡಿಂಗ್ ನಲ್ಲಿದೆ. (ನಗು)

ಶ್ರೀ ಜಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ಪೆಂಡಿಂಗ್ ಎಂದರೆ ಆಗ್ಯುಮೆಂಟು ಆಗಿ ಎವಿಡೆನ್ಸ್ ಸ್ಟೇಜಿನಲ್ಲಿದೆಯೇ ಅಥವಾ ಆಗ್ಯುಮೆಂಟೇ ಅಗಿದ್ದೀರಾ?

ಶ್ರೀ ಟಿ. ಮರಿಯಪ್ಪ.—ಅದಕ್ಕೆ ನೋಟೀಸು ಬೇಕು.

Case in the Court of the Munsiff-Magistrate at Tiptur

Q.—338. Sri G. N. PUTTANNA (Tumkur).—

Will the Government be pleased to state;—

(a) the total number of criminal and civil cases pending disposal on 31st March 1956 in the Court of Munsiff-Magistrate at Tiptur;

(b) the total number of criminal and civil cases filed in the said court between 1st April 1956 to 31st March 1957;

(c) the total number of criminal and civil cases disposed of from 1st April 1956 to 31st March 1957 in the abovesaid court;

(d) the total number of criminal and civil cases that were pending disposal on 31st March 1957 in the said court;

(e) whether they are aware of the difficulty for one Munsiff-Magistrate to dispose off both criminal and civil cases;

(f) whether they would separate the Munsiff-Magistrate Court as before and save the hardship caused to the public?

A.—Sri C. M. POONACHA (Minister for Home Affairs and Industries).—

	Criminal	Civil
(a)	145	686
(b)	1,784	1,958
(c)	1,811	1,743
(d)	118	901

(e) Government do not agree with the presumption made.

(f) Does not arise in view of the reply to (e) above.

ಶ್ರೀ ಜಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ಸ್ವಾಮೀ, ಕ್ಲಾಸು (ಡಿ) ಯಲ್ಲಿ 1957ನೇ ಮಾರ್ಚ್ 31ನೇ ತಾರೀಖವರೆಗೆ ಸಿವಿಲ್ ಕೇಸನ್ 901, ಕ್ರಿಮಿನಲ್ 118 ಎಂದು ಒಪ್ಪಿಕೊಂಡಿದ್ದೀರಿ. ಆ ರೀತಿ ಒಪ್ಪಿಕೊಂಡು (ಇ) ಉತ್ತರದಲ್ಲಿ “Government do not agree with the presumption made” ಎಂದು ಹೇಳಿದ್ದೀರಿ. ಈ ರೀತಿಯಾಗಿ ಪೆಂಡಿಂಗ್ ಇದ್ದರೆ ಜಜಿಸ್ ಎನ್ನುವುದು ಜನಗಳಿಗೆ ದೊರಕುವುದಿಲ್ಲ ಎನ್ನುವುದನ್ನು ತಾವು “ಪ್ರೆಸಂಪಷನ್” ಎಂದು ಹೇಳುತ್ತೀರಾ? ಇಲ್ಲ “ಫ್ಯಾಕ್ಟ್” ಎಂದು ಹೇಳುತ್ತೀರಾ?

ಶ್ರೀ ಸಿ. ಎಂ. ಪುಣಜ್ಜ.—ತಾವು ಕೇಳಿರುವ ಪ್ರಶ್ನೆ “Whether they are aware of